

TO: Registered Proposers/RFP #98-069

King County, on behalf of the seven agency partners to the Central Puget Sound Regional Fare Coordination Project, has issued this **1) Notice** that the Association has received an assertion that existing patents are implicated by the RFC system, and **2) Amendment No. 4** regarding a second revision to the contract payment schedule and simplification of the on-board FTP system integration technical specifications.

1. **Notice:** The Association has been informed of an assertion that two existing U.S. patents No. 4,661,691 and No. 5,734,722, are implicated by development and implementation of the RFC system. The Association takes no position on the validity of this assertion. Proposers are reminded:

- **Section 2.1 - 4, et seq.** requires that, for each proposal element, the Proposal shall list any existing intellectual property which would be used and describe any new intellectual property which would be developed; and
- **Section 3.1 - 32(c)** requires that the selected Contractor obtain all required licenses on behalf of the Association or otherwise ensure that there is no infringement of third party intellectual property rights; and
- **Section 3.1 - 52** requires that the selected Contractor warrant no infringement of intellectual property rights of third parties; and
- **Section 3.1 - 57** requires that the selected Contractor defend and indemnify the Association against all claims.

The assertion, as received by the Association (4/29/99 letter from Richard Davies to Steve Cole), may be viewed on the Project website
http://transit.metrokc.gov/programs_info/smartcard/sc_addinfo.html.

2. **Addendum No. 4:** This Addendum will be posted on the Project web site effective 3:00 pm Seattle time on Friday, June 11th. The Project web site address is:
http://transit.metrokc.gov/programs_info/smartcard/sc_notices.html.

The purpose of Addendum No. 4 is to:

- a. Respond to Proposer requests for further payment schedule revisions which allow for earlier payments, providing prescribed milestones are achieved.
- b. Revise the technical specifications related to the on-board bus FTP integration. This change simplifies the requirements by eliminating the need for 3 separate on-board architectures. A single on-board architecture is now required.

c. Revise Price Sheets to reflect the revisions noted in items "a" and "b" above and to adjust transaction volume ranges.

If you do not have access to the Project web site, please contact Steve Cole, King County Procurement Supervisor at 206-689-5246 (voice) or 206-684-1470 (fax), and he will be happy to provide you with hard copies of the notice and addendum information referenced. Per King County procurement rules, all communications regarding the RFC Project must be directed to Steve Cole. Please do not directly contact Project or agency staff.

We appreciate your interest in this Project and very much look forward to receiving proposals on **Friday, July 30th**. Thank you.

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